

REMARKS

The foregoing amendment and the following arguments are provided generally to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

Claims 1, 4-12, 14-16, 18-21, 24-32, 34-36 and 38-45 were rejected. Claims 1, 4, 7-10, 21, 24, and 27-30 have been amended. Claims 2-3, 6, 11-20, 22-23, 26 and 31-45 have been canceled. Claims 46-50 have been added. Thus, Claims 1, 4-5, 7-10, 21, 24-25, 27-30 and 46-50 are currently pending. Support for the amendments to the claims and the new claims can be found in the specification, the drawings, and in the claims as originally filed. No new matter has been added.

Rejections Under 35 U.S.C. §112

Claims 1, 4-12, 14-16, 18-21, 24-32, 34-36 and 38-45 were rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has Claims 1, 4, 7-10, 21, 24, and 27-30 in a manner that addresses the examiner's rejection.

Rejections Under 35 U.S.C. §103(a)

Claims 1, 4-8, 10-12, 14-16, 18, 21, 24-28, 30-32, 34-36, 38 and 41-44 were rejected under 35 U.S.C. §103(a) as being anticipated by U.S. Patent Application Publication No. 2001/0044751 (hereinafter "Pugliese") in view of U.S. Patent Application Publication No. 2001/0027481 (hereinafter "Whyel"). Of the rejected claims, Claims 1, 4-5, 7-8, 10, 21, 24-25, 27-28 and 30 remain pending.

Applicant's independent claims include limitations that are not disclosed nor suggested in either Pugliese or Whyel. As such, applicant's independent claims are patentable over Pugliese in view of Whyel.

In particular, applicant's independent claims include the limitations, or limitations similar thereto, of:

the data processing system displaying a list of service providers to a service seeker via an internet connection, the list indicating individually whether each service provider in the list of service providers is currently available to provide live advice to the service seeker at a time when the service seeker is viewing the list;

. . .

at the live advice communication appointment, the data processing system establishing a first real time communication connection with one of the service seeker or service provider;

in response to establishing the first real time communication connection, the data processing system establishing a second real time communication connection with one of the service seeker or service provider; and

in response to establishing at least the second real time communication connection, the data processing system connecting the first and second real time communication connections to the service provider provide live advice to the service seeker at the scheduled appointment. (Applicant's independent claim 1 as amended).

Neither Pugliese or Whyel include the limitations set forth above. Specifically, Pugliese is limited to disclosing methods for marketing and selling goods and services using the Internet or other interactive network to support live shopping and selling experience. Pugliese, however, fails to disclose or suggest the limitations added to Applicant's independent claims.

Furthermore, Whyel is limited to disclosing nothing more than simply the scheduling of appointments and reservations. Whyel, as well as Pugliese, fails to disclose or suggest the limitations added to Applicant's independent claims.

Claims 21 and 46 similar limitations discussed above. Thus, at least for the above reasons, independent claims 1, 21 and 46, and their dependent claims, are patentable over Pugliese and Whyel.

Claims 9, 19, 20, 29, 39, 40 and 45 were rejected under 35 U.S.C. §103(a) as being unpatentable over Pugliese in view of Whyel, and further in view of U.S. Patent No. 6,477,246 (hereinafter "Dolan"). Of the rejected claims, Claims 9 and 29 remain pending. Since the base

claims of claims 9 and 29 are patentable over Pugliese and Whyel, claims 9 and 29 are also patentable over Pugliese, Whyel and Dolan, at least for the reasons discussed above.

New Claims

Claims 46-50 have been added.

CONCLUSION

It is respectfully submitted that all of the Examiner's objections have been successfully traversed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously solicited.

Respectfully submitted,

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